

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANIEL LARA HERMOSILLO,) 4:05CV3240
)
Petitioner,) **MEMORANDUM**
vs.) **AND ORDER**
)
MARIA DOLORES GUITERREZ,)
)
Respondent.)

The petitioner has filed a motion for continuance asserting that he is now in a position to assert a claim in state court under state law, which previously had not been available. After telephone consultation with counsel for all parties, and the guardian ad litem, and with no objection,

IT IS ORDERED that:

1. The motion for continuance (filing 65) is granted, but only as provided herein.
2. The petitioner shall file his state law action in the courts of Nebraska within a reasonable time.
3. The hearing on the merits of this case is continued until further order of the court. The respondent remains subject to the restraining orders previously issued.
4. Counsel for the parties and the guardian ad litem shall submit a joint written status report on March 2, 2006, and every 90 days thereafter until ordered otherwise.

December 2, 2005.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge